

FILED

February 4 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0516

STATE OF MONTANA,

Plaintiff and Appellee,

v.

NIEL KELLY MULLARKEY,

Defendant and Appellant.

FILED

FEB - 4 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORDER

Upon consideration of Appellant's motion for extension of time, and good cause appearing therefore,

IT IS HEREBY ORDERED that Appellant is granted an extension of time to and including March 8, 2010, within which to prepare, file, and serve its opening brief on appeal.

DATED this 4TH day of February, 2010.

W. William Pryor
Acting CHIEF JUSTICE

ORDER